PART IV

Section 1-C

GENERAL STATUTORY RULES AND STATUTORY ORDERS ISSUED BY THE CENTRAL GOVERNMENT AND ORDERS MADE BY THE PRESIDENT AND REPUBLISHED BY THE STATE GOVERNMENT.

LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT

NOTIFICATION

No. LAW 218 LCR 1972, Bangalore, dated 17th March 1973.

The Governor of Mysore is pleased to order that the Wealth-tax (Second Amendment) Rules, 1972 which has been published in the *Gazette of India* Extraordinary, Part II, Section 3, sub-section (ii), dated the 12th June 1972 as Notification No. S. O. 437 dated 21st June 1972 be republished in the *Karnataka Gazette* for general information.

JAYATHIRTHA RAO BABU,
I/c. Under Secretary to Government,
256 *Department of Law and Parliamentary Affairs.*

GOVERNMENT OF INDIA

CENTRAL BOARD OF DIRECT TAXES

Wealth-Tax

NOTIFICATION

New Delhi, the 21st June, 1972.

S. O. 437:—In exercise of the powers conferred by section 46 of the Wealth-tax Act, 1957 (27 of 1957), the Central Board of Direct Taxes hereby makes the following rules further to amend the Wealth-tax Rules, 1957, namely :—

1. (1) These Rules may be called the Wealth-tax (Second Amendment) Rules 1972.

(2) They shall come into force on the 1st day of July, 1972.

2. In Wealth tax Rules, 1957, for Form A, the following Form shall be substituted, namely :—

"Form A (W.T.S.I) FORM OF RETURN OF NET WEALTH UNDER SUB-SECTION (1) OR SUB-SECTION (2) OF SECTION 14 OF THE WEALTH-TAX ACT, 1957.

Wealth-Tax Act, 1957 (*For Individuals and Hindu undivided families only*)

Rule 3(1) (a)

Assessment year : *For use in W. T. Officer:*

Valuation date.

Permanent Account Number :

Name in Block Letters..... Address Office ..... Telephone .....
Residence..... Telephone.....
Status (Individual or H. U. F.).....
Whether citizen of India/not a citizen of India.....
Whether resident in India/not ordinarily resident in India/non-resident in India.....

STATEMENT OF ASSETS AND DEBTS AS ON THE VALUATION DATE

PART I

Assets located in India.

Particulars	Assets of business or profession Value	Other assets Value
	Rs.	Rs.
(1)	(2)	(3)
SECTION A – IMMOVABLE PROPERTY :		
(1) Agricultural lands As per Annexure I Annexure II	.....	
(2) Immovable property other than agricultural lands-As per Annexure III Annexure IV	.....	
Total of Section A ...	.....	
SECTION B—MOVABLE PROPERTY-As per Annexure V/Annexure VI	.....	
SECTION C—ALL ASSETS-Total of Sections A and B :	.....	
Deduct—Total value of debts in India owed by the Assessee—As per Annexure VII/Annexure VIII	.....	
Balance—Wealth in India E	.....	

PART II

Assets located outside India

Note :—This Part is not applicable to and need not be filled in by assessee who are not citizens of India or who are not resident in India or who are resident but not ordinary resident in India.

Particulars	Assets of business or profession Value Rs.	Other assets Value Rs.
(1)	(2)	(3)
SECTION D—IMMOVABLE PROPERTY—As per Annexure IX/Annexure X		
SECTION E—MOVABLE PROPERTY—As per Annexure XI/Annexure XII.		
SECTION F—ALL ASSETS—Total of Section D and E.		
Deduct :—Total value of debts outside India owed by the assessee—As per Annexure XIII/Annexure XIV.		
Balance—Wealth outside India.		

PART III

Computation of net-Wealth

Particulars	Relating to business or profession Rs.	Not relating to business or profession Rs.
(1)	(2)	(3)
SECTION G—NET WEALTH :		
1. Wealth in India on which tax is payable—As per Section C of Part I	.....	
2. Wealth outside India on which tax is payable—As per Section F of Part II	.....	
3. Value of assets, as per Annexure XV, which is to be included in the net Wealth of the assessed under section 4(1) (a) or 4(1A),	.....	
4. Value of assets, as per Annexure XVI, on which tax is not payable but which is to be included in the net Wealth under section 5(2)	.....	
Total	.....	
5. NET WEALTH [Total of cols. (2) and (3) as rounded off to the nearest multiple of one hundred rupees—section 44-C].	.....	
6. Value of urban assets included in item 5.	.....	

PART IV

Assets not included in net wealth and claimed to be exempt under sections 2 (e) or section 5

Sl. No.	Description of assets.	Reason why exemption is claimed
(1)	(2)	(3)

PART V

Other particulars

(1) Whether the assessee has furnished the return of income under the Income-tax Act, 1961 (43 of 1961) for the same assessment years If yes, on what date and to which income-tax Officer ?

(2) The total income declared in that return.

(3) Have any assets which were shown in the return of net wealth for the immediately preceding assessment year been excluded from this return if so, give particulars below* regarding the date and manner of their disposal and the consideration therefor

(4) Has any assets been shown in this return at a lesser value than in the return for the immediately preceding assessment year. If so give particulars and reason below',*

*Particulars regarding items (3) and (4) above.

VERIFICATION

I,..... ..*son/daughter/wife of Shri.....
(Name in block letters) (Name of
.....,solemnly declare that to the best of my knowledge and belief, the father/husband) Information given in this return, and the Annexure and Statements accompanying it, is correct and complete, that the amount and of net wealth and other particulars shown are truly stated related to the valuation date relevent to the assessment year commencing on the 1st day of April, 19...

I further solemnly declare that* I

the person for and on whose behalf this return is furnished

the person in respect of whose net wealth I am assessable

*me *my

had no other asset belonging to ——— either in ———— name

the said person the said person's

or in the name of any other person which is required to be taken into consideration in computing *my

the said person's net wealth on the said valuation date.

I further declare that I am making this return in my capacity as .....of..... .....and that I am competent to make this return and verify it,

Signature.....

Date.....

Place.....

IMPORTANT: BEFORE SIGNING THE VERIFICATION THE SIGNATORY SHOULD SATISFY HIMSELF THAT THIS RETURN IS CORRECT AND COMPLETE IN EVERY RESPECT. ANY PERSON MAKING A FALSE STATEMEFT IN THIS RETURN SHALL BE LIABLE TO PROSECUTION UNDER SECTION 36 OF THE WEALTH-TAX ACT, 1957, AND ON CONVICTION BE PUNISHABLE WITH RIGOROUS IMPRISONMENT WHICH SHALL NOT ORDINARY BE LESS THAN SIX MONTHS AND MAY EXTENDED TO TWO YEARS.

*Strike out whichever is not applicable.

ANNEXURE I

(*See* Section A of Part I of this return)

Statement of agricultural lands located in India and held as assets of a business or profession carried on by the assessee+*

Sl. No.	**Description and situation	**Identification No. or number of plots under settlement records	Area in hectares	Annual landed revenue, if any Rs.	Estimated capital value on valuation date. Rs.
(1)	(2)	(3)	(4)	(5)	(6)
	A. Agricultural lands situated in urban Area+ (urban land)				
	B. Agricultural lands not situated in urban area(non-urban land)				

	Urban land	Non-urban land
Total value	Rs.....	....
Less Amount exempt under section 5(1) (iva) (to the extent not availed of against the value of agricultural lands in Annexure II.	Rs.....	.....
Net value taken to Section A (Column (2) of Part I of this return	Rs.....	.....

ANNEXURE II

(*See* Section A of Part I of this return)

Statement of agricultural lands located in India, other than those included in Annexure I*

Sl. No.	**Description and situation	**Identification No. or of plots under settlement records	Area in hectares	Annual land revenue, if any Rs.	Estimated capital value on valuation date. Rs.
(1)	(2)	(3)	(4)	(5)	(6)

A. Agricultural lands situated in urban area† (urban land)

B. Agricultural lands not situated in urban area (non-urban land)

	Urban land	Non-urban land
Total value	Rs.....	
Less: Amount exempt under section 5 (1) (via)	Rs.....	
	Rs.....	
Net value taken to Section A (column (3) of Part I of this return.	Rs.....	

*Each Item of agricultural land should be listd separatelyone below the other,

†Please see note below Annexure V,

**The description and situation of property should be such as to enable the property and its boundaries to be clearly identified, Polt No. or Survey No. in the settlement records and the name of village/tehisil in which the land is located should invariably be mentioned.

††Urban areas means any area situated within the jurisdiction of a municipality (Whether known as a municipality, municipal corporation, notified area committee, town area committee, town committee or by any other name) or a cantonment board and having a population of not less than 1000 persons or any area within a radius up to 8 kilometres outside the limits of any such municipality or cantonment board so notified in this behalf by the Central Government.

ANNEXURE III

(*See* Section A of Part I of this return)

Statement of immovable property (other than agricultural lands) located in India and held as assets of business or profession carried on by the assessee*

No.	Description & Situation	+Identification No. of property	Annual value	Estimated capital value on valuation date
			Rs.	Rs.
(1)	(2)	(3)	(4)	(5)
	A. Property situated in urban area †(*Urban Property*)			
	B. Property not situated in urban area, (Non-urban property)			

	Urban property	Non-urban property
Total value taken to Section A (column (2) of Part I of this return	Rs.....	

Please see note below Annexure V.

*Each item of immovable property should be listed separately, one below the other. If immovable property consists of any right in land or buildings, the nature of the right and the extent thereof should be clearly stated, If the assessee is a member of a co-operative housing society, the value of any building or flat allotted or leased to him should also be included in the statement.

+The description and situation of property should be such as to enable the property and its boundaries to be clearly identified.

††Urban area means any are situated within the Jurisdiction of a municipality (whether known as a municipality, municipal corporation, notified area committee, town area committee, town committee or by any other name) or a cantonment board and having a population of not less than 10,000 person or any area within a radius up to 8 kilometers outside the limits of any such municipality or cantonment board so notified in this behalf by the Central Government.

ANNEXURE IV

(*See* Section A of Part I of this return)

Statemnnt of immovable property (other than agricultural lands) located in India, other than those included in Annexure III*

Sl. No.	+Description and situation	+IDenrification No. of property	Annual value	Estimated capital value on valuation date
			Rs.	Rs.
(1)	(2)	(3)	(4)	(5)

A. Property situated in urban area† (Urban property)

B. Property not situated in urban area (Non-urban property).

	Urban property	Non-urban property
Total value	Rs.....	
Less: Amount exempt under section 5 (i) (iv).	Rs.....	
Add: Amount representing the value of interest as a partner in a firm or as a member of an association of persons or the value of any shares in a closely-held company deemed to be 'urban assets' under rules 3 and 4 respectively. In paragraph B of Part I of the Schedule to the Wealth-tax Act,	Rs.....	
Net value taken to Section A [column (3)] of Part I of this return	Rs.....	

Place see Note below Annexure V.

*Each item of immovable property should be listed seperately, one below the other. If immovable property consists of any right in land or buildings, the nature of the right and the extent thereof should be clearly stated. If the assessee is a member of a Co-operative housing society, the value of any building or flat allotted or leased to him should also be included in the statement.

+The description and situation of property should be such as to enable the property and its boundaries to be clearly indicated.

†Urban area means any area situated within the jurisdiction of a municipality(whether knownas a municipality, municipal corporation, notified area committee, town area committee, town committee or by any other name) or a cantonment board and having a population of not less than 10,000 persons or any area within a radius upto 8 kilometers outside a limits of any such municipality or cantonment board so notified in this behalf by the Central Government.

Under rule 3, where the net wealth of the assessee includes the value of his interest as a partner in a firm or as a member of an association of persons and the assets of such firm or association include building and land (other than business premises) or any right in such building or land situated in 'urban areas' the interest in such firm or association will be deemed to be an 'urban asset' to the extent determined by applying to the value of the assets interest in the firm or the association the same proportion as the value of the urban assets proposed by the firm or the association bears to the net wealth of the firm or association.

Under rule 4, where the net wealth of the assessee includes the value of any share in closely held company and the assets of such company include any urban assets, the value of such share will be deemed to be an 'urban asset' to the extent determined by applying to the value of the share the same proportion which the net value of urban assets of the company bears to the net wealth of the company.

ANNEXURE V

(*See* Section B and Part I of this return)

Statement of movable property located in India and held as assets of business (*See* Note)

Sl. No.	Description of assets	Value Rs.
(1)	(2)	(3)
1.	Plant and machinery ...	
2	Furniture and fittings ...	
3.	Patent rights copyrights, etc , ...	
4.	Vehicles ...	
5	Stores, spare parts, tools and instruments	
6.	Stock in trade ...	
7.	Sundry debtors ...	
8	Loans and advances owing to the assessee...	
9.	Cash in hand at Bank ...	
10.	All other assets except those on which wealth tax is not payable ...	
	Total ...	
Less:	Amount exempt to the extent mentioned in sub-section (IA) of section 5 [to the extent not availed of against the value movable property (non-business assets) in Annexure VI ...	
	Balance taken to Section B[column) (2) of Part I of this return ...	

Note.—A copy of the Balance-sheet or trial balance as on the valuation date of the closing of accounts immediately proceeding the valuation date and a copy of the auditors' report, if any, must be enclosed.

ANNEXURE VI

(*See* Section V of Part I of this return)

Statement of movable property (non-business assets) located in India.

Sl. No.	Description of assets	Value Rs.
(1)	(2)	(3)
1.	Deposits referred to in sec. 5(1) (xv) ...	
2.	Investments refrrred to in section 5(1)(xvi)	
3.	Government securities referred to in section 5(1)(xxii) ...	
4.	Shares in Indian Companies referred to in section 5(1)(xxiii) ...	
5.	Debentures referred to in section 5(1)(xxiv)	
6.	Units in the Unit Trust of India referred to in section 5(1)(xxv) ...	
7.	Deposits in banks including co-operative banks, etc., referred to in section 5(1)(xxvi) ...	
8.	Deposit with financial corporations referred to in section 5(1)(xxvii) ...	
9.	Shares held in a co-operative society referred to in section 5(1) xxviii) ...	
10.	Deposits with a co-operative society, other than a co-operative bank or a co-operative housing society, referred to in section 5(1)(xxix) ...	
	Total value ...	
Less :	Amount except under section 5(1A) ...	
Less :	Amount representing the value of any share in a closely held company deemed to be an 'urban assets' *under rule 4 in Paragraph B of Part I of the Schedule to the Wealth tax Act and added in Annexure IV ...	
	Net Value	.....
	Carried over	.....

*Give details.

(1)	(2)	(3)
	Brought forward ...	
11.	(*a*) Securities bonds, and debentures of local authorities (other than those mentioned in S. No. 5)	
	(*b*) Shares (other than those mentioned in S. No. 4, debentures or bonds of companies	
12.	(*a*) Moneys lent out by way of loans or advances and interest accued due thereon up to the valuation date—	
	(*b*) Any other amounts due to the assessee which remain unpaid: —	
	(*c*) Amounts covered by insurance policies which have become due and payable but not paid:—	
	(*d*) Uncashed dividends, interest, etc., ...	
	(*e*) Moneys in hand or in banks other than those mentioned in S. No. 7)	
*13.	Value of assessee's interest as a partner in a partnership firm or member of an association of persons (not being co-operative housing society)	
	Less: Amount deemed to be an 'urban assets' *under rule 3 in Paragraph B of Part I of the Schedule to the Wealth-tax Act and added in Annexure IV	
	Net value	
14.	Annuity rights (other than pension or other annuity rights in respect of past employment as a salaried employee, annuities, under the Annuity Deposit Schemes, 1964 and 1966 or other annuities which are not commutable).	

(1)	(2)	(3)
15.	Tools and instruments etc., to enable the assessee to carry on his profession or vocation (Mention profession or vocation). ....Rs.....	
	Less: Exemption [Section 5(1)(x)] Rs. 20,000.....	
16.	Furniture utensils and other articles, not except under section 5(1) (viii): (Give details)*	.....
	(a) Conveyance [*vide* second proviso and Explanation 2 to section 5 (1) (viii)] Description	.....
	(b) Jewellery: (Give details)	
	(i) Gold Ornaments	.....
	(ii) Ornaments made of silver, platinum or any oth r precious metal on any alloy thereof *vide* [Explanation 1(a) to sec. 5(1)(viii)]	.....
	(iii) Precious or semi-precious stones [*vide* Explanation] (b) to section 5 (1) [viii)]...	.....
17.	Other assets not included in the above items:—	.....
	Total value taken to Section B [column (3) of Part I of this return	

*Give details.

ANNEXURE VII

(*See* Section C of Part I of this return)

Statement of debts located in India owed by the assessee relating to a business* or profession carried on by him

Sl. No.	Description of debts	Debts relating to lands and buildings		Other debts		Total	
		Urban	Non-urban	Urban	Non-urban	Urban	Non-urban
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	Secured loans						
2.	Unsecured loans						
3.	Trade creditors						
4.	Other items (Give details):—						
	.....						
	.....						
	Total business debts taken to section C. [column (2)] of Part I of this return						

*(1) Please see Note below Annexure V and Note below Annexure VIII.

(2) Please see rule 2 in Paragraph B of Part I of the Schedule to the Wealth-tax Act.

ANNEXURE VIII

(*See* Section C of Part I of this return)

Statement of debts located in India owed by the assessee other than those included in Annexure VII (*See* Note)

Sl. No.	Description of debts	Debts relating to lands and buildings		Other debts		Total	
		Urban	Non-urban	Urban	Non-urban	Urban	Non-urban

Total non business debts taken to Section C [column (3)] of Part I of this return	

Note:—Debts which have been incurred for acquiring assets which are exempted from wealth-tax or for utilisation on such assets, or debts which have been secured for repayment on such assets, should not be included in Annexure VII or Annexure VIII. Debts which are purely in the nature of contingent liabilities should not also be included in those Statements.

ANNEXURE IX

(*See* Section D of Part II of this return)

Statement of immovable property located outside India and held as assets of business

Sl. No.	Description of property	Place where it is situated	Annual value Rs.	Estimated capital value as on valuation date Rs.
(1)	(2)	(3)	(4)	(5)

Total value taken to Section D [column (2)] of Part II of this return

*Please see Note below Annexure V.

ANNEXURE X

(*See* Section D of Part II of this return)

Statement of immovable located outside India other than that included in Annexure IX

Sl. No.	Description of property	Place where it is situated	Annual value Rs.	Estimated capital value as on valuation date Rs.
(1)	(2)	(3)	(4)	(5)

Total value taken to Section D [column (3)] of Part II of this return

ANNEXURE XI

(*See* Section E of Part II of this return)

Statement of movable property located outside India and held as assets of a business*

Sl. No.	Description of assets	Value Rs.
(1)	(2)	(3)
1.	Plant and Machinery ...	
2.	Furniture and fittings ...	
3.	Patent rights, copyrights, etc., ...	
4.	Vehicles ...	
5.	Stores spare parts, tools and instruments ...	
6.	Stock in trade ...	
7.	Sundry debts ...	
8.	Loans and advances owing to the assessee ...	
9.	Cash in hand and at bank ...	
10.	All other assets, except those on which wealth-tax is not payable (Give details):— ...	
	.....	
	.....	
	.....	

Total taken to Section E [column (2)] of Part II of this return.

*Please see Note below Annexure V.

R. & I. SECTION
E & Y. S. Dept.
No.....
D. 1 OCT 1974
Section.....

ANNEXURE XII

(*See* Section E of Part II of this return)

Statement of movable property (non-business state) located outside India

Sl. No.	Description of assets	Value Rs.
(1)	(2)	(3)
1.	(*a*) Stocks, bonds, securities :—	
	(i) of any Government or local authority in India inscribed for payment outside India:—	
	....	
	.....	
	.....	
	(ii) of foreign Governments.—	
	.....	
	.....	
	(*b*) Shares, debentures or bonds of companies :—	
	.....	
	.....	
	.....	
2.	(*a*) Moneys lent out by way of loans or advances and interest accrued due thereon upto the valuation date :—	
	.....	
	.....	
	.....	
	(*b*) Any other amounts due to the assessee which remain unpaid .—	
	.....	
	.....	
	.....	
	(*c*) Amount covered by insurance policies which have become due and payable but not paid.—	
	.....	
	.....	
	.....	

(1)	(2)	(3)
	(*d*) Uncashed dividends, interest, etc.,—	
	.....	
	.....	
	.....	
	(*e*) Money in hand .—	
	.....	
	.....	
	(*f*) Money in banks.—	
	(i) Foreign branch of an Indian bank ...	
	less: Amount except to the extent mentioned in section 5 (iA) (to the extent not availed of against the value of movable property/non-business assets in Annexure V and VI) ...	
	Net value ...	
	(ii) Foreign bank ...	
3.	Value of assessee's interest as a partner in a partnership firm or member in an association of persons (not being a co-operative housing society) (Give details) ...	
	.....	
	.....	
	.....	
4.	(*a*) Furniture, utensils and other articles not exempt under section 5(i)(viii), (Give details).	
	(*b*) Conveyance [*vide* second proviso and Explanation 2 to section 5(i)(viii) :—	
	Description	
	(*c*) Jewellery (Give details):	
	(i) Gold ornaments ...	
	(ii) Ornaments made of silver, plantinum or any other precious metal or any alloy thereof [*vide* Explanation i(a) to section 5(i) (viii)] ...	
	(iii) Precious or semi-precious stones [*vide* Explanation i(b) to section 5(i)(viii)] ...	
5.	Other assets not included in the above items (Give details) :—	
	.....	
	.....	
	.....	

Total taken to Section E [column (3)] of Part II of this return.

ANNEXURE XIII

(See Section F of Part II of this return)

Statement of debts located outside India owed by the assessee relating to bussiness* carried on by him

Sl. No.	Description of debts	Value Rs.
(1)	(2)	(3)
1.	Secured loans ...	
2.	Unsecured loans ...	
3.	Trade creditors ...	
4.	Other items (Give details):—	
	Total business debts taken to Section F [column (3)] of Part II of this return ...	

* Please see Note below Annexure V and Note below Annexure XIV.

ANNEXURE XIV

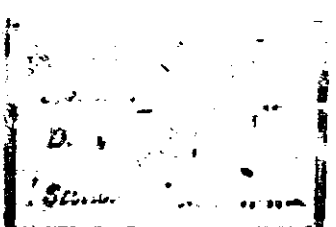
(*See* Section F of Part II of this return)

Statement of debts located outside India owed by the assessee other than those included in Annexure XIII (*See* Note)

Sl. No.	Description of debts	Value Rs.
(1)	(2)	(3)

Total non business debts taken to Section F [column (3)] of Part II of this return.

Note.—Debts which have been incurred for acquring assets which are exempted from wealth tax, or for utilisation on such assets or debts which have been secured for repayment on such assets should not be included in Annexure XIII or Annexure XIV. Debts which are purely in the nature of contingent liabilities should not also be included in those statements.



ANNEXURE XV

(*See* Section G of Part III of this return)

STATEMENT OF TRANSFERRED ASSETS' AND 'CONVERTED PROPERTY' VIDE SECTION 4(1) (a) and (IA) (*See* Note)

	Description of assets	Date of transfer	Name of transferee	Value (Rs.
1.	'Transfered assets' includible in net wealth *vide* sec. 4(1)(a).			
2.	'Converted property' includible in net wealth *vide* sec. 4(IA).			

TOTAL Rs_____

Deduct: Debts re-ferable to such asstn Rs_____

Balance taken to Section G item (3) of Part III of this return Rs. _____

Note.—Exclude value of assets transfer of which is either chargeable to Gift-tax or is not chargeable under section 5 of the Gift-tax Act, 1958 for any of the assessment years 1 64-65 to 1971-72 (both inclusive), *vide* proviso to section 4(1)(a), Wealth-Tax Act.

Note.—the transferred assets or converted property include any immovable property, particulars of which in Annexures I to IV should be given.

ANNEXURE XVI

(*See* Section G of Part III of this return)

Statement of assets on which wealth-tax is not payable but which are to be included in net wealth under section 5(2).

Description of assets	No. and date of Central Government notification granting exemption from tax	Value Rs.
(1)	(2)	(3)
Deposits with Central Government		
Deposits with State Government		
Securities of Central Government		
Securities of State Government		
Securities of local authorities		
Total taken to item 4 in Section G of Part III of this return.		

[No. 121/F. No. 142(13)/72-TPL.]

Q. P. BHARDWAJ, Secy.

Central Board of Direct Taxes.